REMARKS

Claims 1, 2, 6-9, and 11-16 are pending. Claims 3-5, 10, and 17-25 have been cancelled without prejudice or disclaimer. Claims 1, 2, 9, and 16 have been amended. Support for the claim amendments can be found in the specification at least at paragraphs [1023] and [1038], and FIG. 5.

Claims 1, 2, 6-9, and 11-16 are Allowable

The Office has rejected claims 1, 2, 6-9, 11-16, and 19-25, under 35 U.S.C. §112, ¶1, as failing to comply with the enablement requirement. Claims 17-25 have been cancelled without prejudice or disclaimer. Applicants have amended the independent claims 1, 9, and 16 to recite that an indicator indicates a transport layer communication status to overcome the remaining §112, ¶1 rejections. See, e.g., specification, paragraph [1023]:

> "Software at Layer 4, a transport layer 204, provides for reliable and transparent transfer of packets between stations. Transport layer 204 performs many of the same functions as network layer 203, but transport layer 204 performs such functions locally. Drivers in the networking software perform transport layer 204 tasks. If the network goes down, software at transport layer 204 looks for alternative routes and resends the packet of transmitted data until successful or a preset time limit is reached. Transport layer 204 handles quality control by verifying that the data received is in the right format and in the right order. This formatting and ordering capability is useful when the transport layer 204 is used to implement connections among dissimilar computers. Networks of dissimilar computers can use several transport layer protocols, such as the transmission control protocol (TCP). One or more pieces of transport layer 204 software reside in each network station and pass calls between application programs on the network."

This is an enabling disclosure for indicating a transport layer communication status, (which is a layer 4 or above communication status.)

The Office has indicated that claims 1, 2, 6-9, and 11-16 would be allowable if amended to overcome the section 112 rejection. Office Action, page 4. Accordingly, having amended the

claims to recite a transport layer communication status indication, claims 1, 2, 6-9, and 11-16 are allowable.

CONCLUSION

Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.
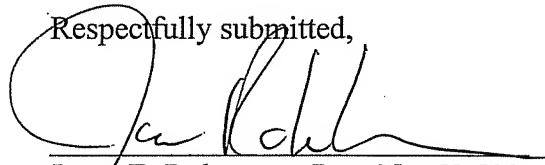
The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

7.30.09
Date

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